

DELEGATE PENNIMAN: I think it was our opinion that your Committee had done wisely in stating it in the negative for emphasis, so we carried it over.

DELEGATE NEEDLE: So the General Assembly would not have any power to enact any public local laws?

DELEGATE PENNIMAN: Yes. This is a major point that this Convention is seeking to make, and it seems that there was no other way to express it than to use as you had, the word "no."

Mr. Chairman, I have just had pointed out to me that on page 9 in line 9, the next to the last word, we have one more "provide", which I would like to change to "prescribe".

DELEGATE JAMES (presiding): If there is no objection, the language will be considered so modified.

There being no objection, the section will be modified.

If there are no further questions on section 3.23—Delegate Sollins.

DELEGATE SOLLINS: Delegate Penniman, with regard to section 3.09, the sentence beginning on line 5, "The salary of a member shall not be increased during his term of office", is a change from committee language. What concerned me is whether it really carries out the intent of what the Legislative Committee meant.

I wonder if you would comment on that.

DELEGATE JAMES (presiding): Delegate Penniman.

DELEGATE PENNIMAN: I see Delegate Gallagher would like to comment.

DELEGATE JAMES (presiding): Delegate Gallagher.

DELEGATE GALLAGHER: There is an amendment coming in concerning style which will more closely approximate the language that we intended and used.

DELEGATE PENNIMAN: We thought the original language was ambiguous. We changed it, and now I find you are not the only one who finds our language ambiguous.

DELEGATE JAMES (presiding): Delegate Sollins.

DELEGATE SOLLINS: In the section on vacancies, what you have done by putting a period at the end of line 14, you have broadened the method by which the vacan-

cies could be filled. The intent of the Legislative Committee was that they could be filled only by appointment; by the insertion of a period and the beginning of a new sentence on line 15 you opened that up.

DELEGATE JAMES (presiding): Delegate Gallagher.

DELEGATE GALLAGHER: Mr. President, again I think we have a style amendment which will meet that problem as well.

DELEGATE JAMES (presiding): Delegate Sollins.

DELEGATE SOLLINS: With respect to section 3.13 I think that this is a question for Delegate Gallagher. If the General Assembly is not in session, how would the House of Delegates by itself be called into session for an impeachment proceeding?

DELEGATE JAMES (presiding): Delegate Gallagher.

DELEGATE GALLAGHER: I do not have the impeachment section of GP before me. It is silent.

DELEGATE JAMES (presiding): You would call it like any special session?

DELEGATE GALLAGHER: Yes.

DELEGATE SOLLINS: That would call both houses in session. Should there be a method inserted on line 10 where it says "The governor may on extraordinary occasions convene the Senate", by adding the words "or the House of Delegates"?

DELEGATE JAMES (presiding): Delegate Gallagher.

DELEGATE GALLAGHER: To be consistent I think that would be helpful. If you would ask for the amendment, I think it should be offered.

DELEGATE JAMES (presiding): The Chair might intervene here. I think it is a good suggestion. In the event something would happen to the speaker of the house in an interim period it might be very important to have a speaker, because the speaker has definite interim functions which should be performed, and I think that is an excellent suggestion.

Delegate Sollins, are you going to submit that in the form of an amendment?

DELEGATE SOLLINS: Yes. In section 3.22, the line beginning "The General Assembly shall prescribe by law a congressional redistricting plan or the commission plan."